

Doc. No. 314980: WEMHH/SB/21 (5/04)


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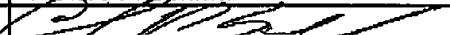
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/634,711	
	Filing Date	August 5, 2003	
	First Named Inventor	William F. McKay	
	Art Unit	3738	
	Examiner Name	Bruce Edward Snow	
Total Number of Pages in This Submission	14	Attorney Docket Number	4002-3365

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached (USPTO Credit Card Payment Form) <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="text"/>	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <input type="text"/>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or individual name	Charles P. Schmal, Reg. No. 45,082 Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	
Date	November 29, 2004

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on the date indicated below:	
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	
	)	Before the Examiner
William F. McKay	)	
	)	Bruce Edward Snow
Application No. 10/634,711	)	
	)	Group Art Unit 3738
Filed August 5, 2003	)	
	)	November 29, 2004
<b>OSTEOGENIC FUSION DEVICE</b>	)	

**RESPONSE TO RESTRICTION REQUIREMENT**

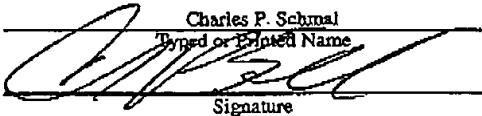
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Sir:

**Introductory Comments**

In response to the Office Action dated October 28, 2004, please enter the following amendments and remarks in the above-mentioned patent application. The Commissioner is authorized to charge any extensions of time or credit any overcharges to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Response to Restriction Requirement  
Serial No. 10/634,711  
Group Art Unit 3738  
Attorney Docket No. 4002-3365  
Page 1 of 13

<b><u>CERTIFICATE OF FACSIMILE TRANSMISSION</u></b>	
I hereby certify that this paper for Serial No. 10/634,711 is being facsimile transmitted to the Patent and Trademark Office Fax Number (703) 872-9306 to Examiner Bruce Edward Snow, Art Unit 3738 on the date indicated below:	
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